

Introduced by Senator Wiggins

February 17, 2010

An act to amend Section 8276.4 of the Fish and Game Code, relating to fish and game.

LEGISLATIVE COUNSEL'S DIGEST

SB 1093, as introduced, Wiggins. Ocean Protection Council: Dungeness crab task force.

Existing law establishes the Ocean Protection Council and requires the council to, among other things, coordinate activities of state agencies that are related to the protection and conservation of coastal waters and ocean ecosystems to improve the effectiveness of state efforts to protect ocean resources within existing fiscal limitations.

Existing law requires the council to make a grant, upon appropriation of funding by the Legislature, for the development and administration of a Dungeness crab task force, and specifies the membership of the task force. Existing law provides that eligibility to take crab in state waters and offshore for commercial purposes may be subject to specified restrictions.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8276.4 of the Fish and Game Code is
2 amended to read:

1 8276.4. (a) The Ocean Protection Council shall make a grant,
2 upon appropriation of funding by the Legislature, for the
3 development and administration of a Dungeness crab task force.
4 The membership of the Dungeness crab task force shall be
5 comprised of all of the following:

6 (1) Two members representing sport fishing interests.
7 (2) Two members representing crab processing interests.
8 (3) One member representing commercial passenger fishing
9 vessel interests.

10 (4) Two ex officio members representing nongovernmental
11 organization interests.

12 (5) One ex officio representative of Sea Grant.

13 (6) Two ex officio members representing the department.

14 (7) Seventeen members representing commercial fishery
15 interests, elected by licensed persons possessing valid Dungeness
16 crab permits in their respective ports and production levels, as
17 follows:

18 (A) Four members from Crescent City.

19 (B) One member from Trinidad.

20 (C) Two members from Eureka.

21 (D) Two members from Fort Bragg.

22 (E) Two members from Bodega Bay.

23 (F) Two members from San Francisco.

24 (G) Two members from Half Moon Bay.

25 (H) One member from ports south of Half Moon Bay.

26 (I) One member who has a valid California nonresident crab
27 permit.

28 (b) For ports with more than one representative, elected members
29 and their alternates shall represent both the upper and lower, and
30 in some cases middle, production levels. Production levels shall
31 be based on the average landing during the previous five years, of
32 valid crab permit holders who landed a minimum of 25,000 pounds
33 of crab during the same period.

34 (c) The Dungeness crab task force shall do all of the following:

35 (1) Under the guidance of a professional facilitator hired by the
36 Ocean Protection Council for this purpose, review and evaluate
37 Dungeness crab management measures with the objective of
38 making recommendations to the Joint Committee on Fisheries and
39 Aquaculture, the department, and the commission no later than
40 January 15, 2010.

1 (2) Make recommendations, including, but not limited to, the
2 need for a permanent Dungeness crab advisory committee, refining
3 sport and commercial Dungeness crab management, establishing
4 a Dungeness crab marketing commission, and the need for statutory
5 changes to accomplish task force objectives.

6 (3) In considering Dungeness crab management options,
7 prioritize the review of pot limit restriction options, harvest
8 allocation, current and future sport and commercial fishery effort,
9 season modifications, essential fishery information needs, and
10 short- and long-term objectives for improved management.

11 (d) The task force may establish subcommittees of specific user
12 groups from the task force membership to focus on issues specific
13 to sport fishing, commercial harvest, or crab processing. The
14 subcommittees shall report their recommendations, if any, to the
15 task force.

16 (e) The Ocean Protection Council may include in a grant;
17 funding to cover department staffing costs, as well as task force
18 participant travel.

19 (f) A recommendation shall be forwarded to the Joint Committee
20 on Fisheries and Aquaculture, the department, and the commission
21 upon an affirmative vote of at least two-thirds of the task force
22 members.

23 (g) The task force shall cease to exist on January 1, 2011.

24 (h) Eligibility to take crab in ~~California~~ *state* waters and offshore
25 for commercial purposes may be subject to restrictions, including,
26 but not limited to, restrictions on the number of traps utilized by
27 that person, if either of the following occurs:

28 (1) A person holds a Dungeness crab permit with landings of
29 less than 5,000 pounds between November 15, 2003, and July 15,
30 2008, inclusive.

31 (2) A person has purchased a Dungeness crab permit on or after
32 July 15, 2008, from a permitholder who landed less than 5,000
33 pounds between November 15, 2003, and July 15, 2008, inclusive.

34 (i) This section shall remain in effect only until January 1, 2011,
35 and as of that date is repealed unless a later enacted statute, which
36 is enacted before January 1, 2011, deletes or extends that date, or
37 it is rendered inoperative by commission regulations.